

1 H.180

2 Introduced by Representatives Canfield of Fair Haven, Branagan of Georgia,
3 Brennan of Colchester, Burditt of West Rutland, Cheney of
4 Norwich, Donaghy of Poultney, Hebert of Vernon, Helm of Fair
5 Haven, Higley of Lowell, Larocque of Barnet, Lewis of Derby,
6 McNeil of Rutland Town and Potter of Clarendon

7 Referred to Committee on

8 Date:

9 Subject: Conservation and development; state lands; motor vehicle access;
10 hunting

11 Statement of purpose: This bill proposes to allow the use of motor vehicles on
12 state forest or park roads in order to allow hunting or fishing by a person who
13 is 65 years of age or older or who has a handicap or disability.

14 An act relating to authorizing motor vehicle use on state lands for hunting
15 by senior citizens or persons with a disability

16 It is hereby enacted by the General Assembly of the State of Vermont:

17 Sec. 1. 10 V.S.A. § 2603 is amended to read:

18 § 2603. POWERS AND DUTIES: COMMISSIONER

19 (a) The department shall be under the direction and supervision of a
20 commissioner appointed by the secretary as provided in 3 V.S.A. § 2851. In

1 addition to the duties and powers provided under this chapter, the
2 commissioner shall have the powers and duties specified in 3 V.S.A. § 2852
3 and such additional duties as may be assigned to him or her by the secretary
4 under 3 V.S.A. § 2853. The commissioner shall implement the policy and
5 purposes specified in section 2601 of this title where appropriate and to the
6 extent that resources of the department permit.

7 (b) The commissioner shall manage and plan for the use of publicly owned
8 forests and park lands in order to implement the policy and purposes of this
9 chapter, promote and protect the natural, productive, and recreational values of
10 such lands, and provide for multiple uses of the lands in the public interest.

11 The commissioner may sell forest products and other resources on public lands
12 and shall administer the state park system and a community recreation program
13 as is in the best interests of the state and is consistent with the purposes and
14 policies of this chapter.

15 (c)(1) The commissioner, subject to the direction and approval of the
16 secretary, shall promulgate and publish regulations in the name of the agency
17 for the use of state forests or park lands, including reasonable fees or charges
18 for the use of the lands, roads, camping sites, buildings, and other facilities and
19 for the harvesting of timber or removal of minerals or other resources from
20 such lands, notwithstanding 32 V.S.A. § 603.

1 (2) The commissioner of forests, parks and recreation shall be permitted
2 to temporarily (not to exceed one season per project) adjust fees and charges at
3 any area for the purpose of bona fide scientific research.

4 (3) Notwithstanding subdivision (1) of this subsection, the
5 commissioner of forests, parks and recreation shall be permitted to develop
6 state park services, promotional programs, and vacation or special event
7 packages and adjust rates and fees for those services and packages to promote
8 the park system or increase campground occupancy.

9 (4) Fees charged under this section shall be reported in accordance with
10 32 V.S.A. § 605.

11 (d) The commissioner or designee shall be the state fire warden and may
12 act as, and in place of, the fire warden of any municipality as provided under
13 subchapter 4 of this chapter.

14 (e) The provisions of this section shall not be construed to allow the
15 commissioner to grant oil and gas leases.

16 (f) Associations of amateur radio operators licensed as such by the United
17 States Federal Communications Commission shall not be required to pay a fee
18 or other charge as provided by subsection (c) of this section, as a condition of
19 either a lease or a sublease of state property executed under this title, for access
20 to mountaintop electronic sites designated as such in conformance with policy
21 of the secretary of the agency of natural resources, except that each such

1 association shall by January 1 annually pay a ~~\$ 25.00~~ \$25.00 access fee and
2 submit to the commissioner at that time a list of the association's current
3 membership.

4 (g) The commissioner shall consult with and receive approval from the
5 commissioner of buildings and general services concerning proposed
6 construction or renovation of individual projects involving capital
7 improvements which are expected, either in phases or in total, to cost more
8 than \$200,000.00. The department of environmental conservation shall
9 manage all contracts for engineering services for capital improvements made
10 by the department of forests, parks and recreation.

11 (h)(1) The commissioner shall allow the use of motor vehicles on state
12 forest or park roads in order to allow access for hunting or fishing to persons,
13 who hold a valid Vermont license under chapter 105 of this title and who:

14 (A) are 65 years of age or older; or

15 (B) have a disability or are handicapped, as defined in 9 V.S.A.
16 § 4501.

17 (2) The commissioner may adopt rules to implement the requirements of
18 this subsection.

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on July 1, 2011.